

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2167
(Reference to printed bill)

1 Page 8, line 19, after the second semicolon, insert "nonseverability:"

2 Line 21, strike "BOTH" insert "ALL"

3 Between lines 32 and 33, insert:

4 "3. THE JURY, HAVING BEEN FULLY INFORMED OF THE PENALTIES ASSOCIATED
5 WITH DRUG TRAFFICKING HOMICIDE AND LESSER OFFENSES WITH WHICH THE PERSON
6 WAS, OR MIGHT HAVE BEEN, CHARGED, UNANIMOUSLY FINDS:

7 (a) THAT SUCH LESSER OFFENSES CARRY INADEQUATE PENALTIES TO SERVE
8 THE COMMUNITY'S NOTIONS OF JUSTICE CONSIDERING THE FACTS AND CIRCUMSTANCES
9 OF THE CASE, AND

10 (b) THAT IT IS JUST TO IMPOSE THE PENALTIES ASSOCIATED WITH DRUG
11 TRAFFICKING HOMICIDE CONSIDERING THE FACTS AND CIRCUMSTANCES OF THE CASE.

12
13 THIS SECTION SHALL NOT OBLIGATE THE COURTS TO ALLOW A JURY TO BE SO
14 INFORMED BUT, IN THE ABSENCE OF THE PROVISION OF SUCH INFORMATION TO THE
15 JURY, NO PERSON SHALL BE CONVICTED OF ANY OFFENSE UNDER THIS SECTION."

16 Page 8, line 37, after "C." insert "EXCEPT AS PROVIDED IN SECTION 13-704,"

1 Page 9, between lines 3 and 4, insert:

2 "F. SUBSECTION A, PARAGRAPH 3 OF THIS SECTION IS NOT SEVERABLE FROM
3 THE REMAINDER OF THIS SECTION. IF SUBSECTION A, PARAGRAPH 3 OF THIS
4 SECTION IS STRUCK THE ENTIRE SECTION SHALL BE VOID."

5 Reletter to conform

6 Amend title to conform

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C: SP